



WASHOE COUNTY

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CM/ACM VS
Finance DN
DA PCP
Risk Mgt N/A
HR N/A
Other N/A

STAFF REPORT

BOARD MEETING DATE: November 12, 2014

DATE: October 22, 2014
TO: Board of County Commissioners
FROM: Dave Solaro, Arch., P.E., Director
Community Services Department, 328-2040, dsolaro@washoecounty.us
THROUGH: Kevin Schiller, Assistant County Manager
SUBJECT: Second reading and adoption of an ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto, with the ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger. (All Commission Districts.)

SUMMARY

This action is to support the merger of the the Washoe County Water Utility (Water Utility) with the Truckee Meadows Water Authority (TMWA) by recommending the Board of County Commissioners (Board) repeal Ordinance No. 1470 – Requirements and Schedule of Rates and Charges for Water Service within Certain Areas of Washoe County. With the completion of the consolidation of water utility functions with TMWA, Washoe County does not have a need to have an ordinance specific to rates, tolls, and charges for water service.

Provisions within Ordinance No. 1470 relating to the rates, tolls, and charges for the Golden Valley Artificial Recharge Program have been modified and will be presented to the Board with the intent of creating an ordinance specific to the needs of the recharge program.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

PREVIOUS ACTION

On December 9, 2009, the Board entered into an interlocal agreement governing a proposed merger of the Water Utility with the TMWA Board of Directors. The Board and the TMWA Board of Directors held a joint meeting on March 19, 2014, and directed staffs from both entities to complete the merger with an anticipated closing date to occur in December 2014.

On August 9, 2011, the Board held the second reading and adopted Ordinance No. 1470, revising Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County by repealing Ordinance No. 1411; Providing for procedures and their enforcement relating to conditions of service; applications for new and modified service; refund requests; conservation and drought measures; domestic well mitigation program; Golden Valley Recharge Program; appeal procedures; and providing for other matters properly relating thereto.

On October 28, 2014, the Board held the introduction and first reading of an ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto; and, set the date for second reading and possible adoption for November 12, 2014, with the ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and TMWA merger.

BACKGROUND

TMWA and Washoe County entered into that certain Interlocal Agreement Governing the Merger of the Water Utility into TMWA dated January 29, 2010, which provides for the merger of the Water Utility into TMWA (Merger ILA).

Staffs from both utilities have been working diligently since the Joint meeting held in March of 2014 to complete many actions necessary to fully consolidate the Washoe County Water Utility and TMWA. Two actions necessary to complete in regards to rates, tolls, and charges are the adoption of new rates by the TMWA Board and the repeal of the rates, tolls, and charges currently in effect and adopted by the Washoe County Board on August 9, 2011. The TMWA Board of Directors on October 15, 2014 held the second and final public reading and adopted new rate schedules for Washoe County customers that will become TMWA customers on January 1, 2015. Ordinance 1470 will no longer be necessary as of the effective date of the merger as outlined in the Addendum to the Interlocal Agreement.

Provisions within Ordinance No. 1470 relating to the rates, tolls, and charges for the Golden Valley Artificial Recharge Program, which will continue to be administered by Washoe County, have been modified and will be presented to the Board with the intent of creating an ordinance specific to the needs of the recharge program.

FISCAL IMPACT

There is no fiscal impact to Washoe County, and the repeal of this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.

RECOMMENDATION

It is recommended that the Board of County Commissioners hold the second reading and adopt an ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto, with the ordinance to become effective

concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to hold the second reading and adopt an ordinance repealing Ordinance 1470, Washoe County Requirements and Schedule of Rates and Charges for Water Service within certain areas of Washoe County; and other matters properly related thereto, with the ordinance to become effective concurrent with the effective date of the Washoe County Water Utility and Truckee Meadows Water Authority merger."

SUMMARY: Repeals Ordinance 1470, the Washoe County Requirements and Schedule of Rates and Charges for Water Service within Certain Areas of Washoe.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE REPEALING ORDINANCE 1470, WASHOE COUNTY REQUIREMENTS AND SCHEDULE OF RATES AND CHARGES FOR WATER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; AND OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN:

SECTION 1. Ordinance No. 1470, adopted August 23, 2011, was entitled “An Ordinance revising Washoe County requirements and schedule of rates and charges for water service within certain areas of Washoe County; by repealing Ordinance No. 1411; providing for procedures and their enforcement relating to conditions of service; applications for new and modified service; refund requests; conservation and drought measures; domestic well mitigation program; golden valley recharge program; appeal procedures.”

SECTION 2. On or about January 29, 2010 Washoe County and Truckee Meadows Water Authority entered into an Interlocal Agreement for the consolidation of the water utility functions of the two agencies into Truckee Meadows Water Authority. The Interlocal Agreement is amended by an Addendum which further describes the terms of the consolidation. Following the consolidation, Washoe County’s water utility will cease to exist and there will no longer be a need for Ordinance 1470.

SECTION 3. Ordinance No. 1470 is repealed in its entirety upon the closing of the merger as defined in the 2010 Interlocal Agreement and the addendum thereto.

SECTION 4.

If any section of this ordinance or portion thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 5. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases, or sentences contained in other Washoe County ordinances in conflict herewith are hereby repealed.

SECTION 6. This ordinance shall be published by title only, together with the names of the

County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Washoe County, Nevada, at least once a week for a period of two (2) weeks, and shall be in force and effect thereafter.

[Business Impact Note: The Board of County Commissioners hereby finds that this ordinance does not impose a direct and significant economic burden upon a business, nor does it directly restrict the formation, operation or expansion of a business.]

Proposed on the ____ day of _____, 2014.

Proposed by Commissioner _____.

Passed on the ____ day of _____, 2014.

Vote:

Ayes:

Nays:

Absent:

David Humke, Chairman
Washoe County Commission

ATTEST:

County Clerk

This ordinance shall be in force and effect from and after the ____ day of _____, 2014.